

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 13, 1999
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Bernie Heier
Larry Hudkins
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Diane Staab, Deputy County Attorney

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 6, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Workman moved and Heier seconded approval of the minutes of July 6, 1999. On call Campbell, Heier, Workman and Steinman voted aye. Hudkins present but not voting. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 6 additions and deductions to the tax assessment rolls per Exhibit "A". (19991344)

MOTION: Workman moved and Heier seconded approval. On call Heier, Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Boy Scout Troop 76
The American Legion, Department of Nebraska

MOTION: Steinman moved and Heier seconded approval of a motor vehicle tax exemption for Boy Scout Troop 76 and for the American Legion, Department of Nebraska subject to the vehicle being registered and titled to the applicant. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

The Chair recessed the Board of Equalization meeting and it was reconvened at 2:35 p.m.

4) **NOTICE OF VALUATION OF CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

Aileen Ballard

The Assessor recommended a value of \$39,871.

Anh Ngoc Le or Manh Thi Nguyen

The Assessor recommended a value of \$60,000.

C Leroy & Shirley Seng

The Assessor recommended a value of \$83,500.

MOTION: Heier moved and Steinman seconded to accept the Assessor's recommendations and set the following values: \$39,871 for Aileen Ballard, \$60,000 for Anh Ngoc Le or Manh Thi Nguyen and \$83,500 for C Leroy and Shirley Seng. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **APPEALS FILED IN RELATION TO PENALTY ON PERSONAL PROPERTY FOR THE FOLLOWING:**

Pulmonary Medicine of Lincoln (19991283)

The Assessor recommended assessing a ten percent penalty.

MOTION: Steinman moved and Heier seconded to accept the Assessor's recommendation and assess a ten percent penalty on personal property for Pulmonary Medicine of Lincoln. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

Behind the Scenes Video (19991293)

The Assessor recommended a ten percent penalty.

MOTION: Steinman moved and Hudkins seconded to accept the Assessor's recommendation and assess a ten percent penalty on personal property for Behind the Scenes Video. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

6) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization was adjourned.

Bruce Medcalf
County Clerk

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MOTION: Hudkins moved and Heier seconded approval of the minutes of July 6, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, July 13, 1999.**

MOTION: Workman moved and Heier seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **PUBLIC HEARINGS:**

- A. County Miscellaneous 99001, requested by Jerry Malek, to vacate Lot 2 of Glenwood Acres final plat, located at 176th and Holdrege Streets in Lancaster County, Nebraska. (19991256) (19991338)**

The Chair opened the public hearing and asked if anyone wished to testify in favor of the request.

The County Clerk administered the oath to Jerry Malek, applicant of County Miscellaneous 99001.

Malek stated the purpose of the request was to allow the creation of a combined lot with an adjoining irregular tract.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

MOTION: Steinman moved and Heier seconded approval of Resolution 99-1338; County Miscellaneous 99001: to vacate Lot 2 of Glenwood Acres Final Plat, located at 176th and Holdrege Streets in Lancaster County, Nebraska. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

B. A Corporate Manager application from Randall C Carlson in connection with a Class E (Beer Off Sale Only) and a Class M (Bottle Club) liquor license for Corporate Golf Marketing Inc dba/HiMark Golf Club located at 9003 Pioneers Boulevard in Lancaster County, Nebraska. (19991285) (19991345) (19991301) (19991358)

The Chair opened the public hearing and asked if anyone wished to testify in favor of the application.

The County Clerk administered the oath to Randall C Carlson, applicant.

Carlson stated that he is the general manager at HiMark Golf Course and explained that he had a liquor license in his name for an establishment in Grand Island for approximately six years.

He also noted he will be enrolling in the "Responsible Hospitality" class within the next six months.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

The Chair also noted that action will be taken on Tuesday, July 20, 1999.

C. An addition to licensed premise to include a Morton building in connection with a liquor license for the Nebraska State Board of Agriculture dba/"Nebraska State Fair" located at 1800 State Fair Park Drive. (19991284) (19991302) (19991357) (19991355)

The Chair opened the public hearing and asked if anyone wished to testify in favor of the addition.

The County Clerk administered the oath to Sharon Schrock, representative for the Nebraska State Board of Agriculture.

Schrock explained that their liquor license includes many different buildings which are included in one license. She stated they would like to include the Morton building in their license to allow for simulcasting at that location during the State Fair and to hold meetings, small parties and receptions in the future. By adding the building to their existing license they would not need to apply for a Special Designated License for each event.

Hudkins stated he appreciated knowing about the nature of individual functions and the people involved. He said he would prefer that the County Board continue to exercise that control.

In response to a question asked by Workman, Schrock stated the simulcasting would be moved back to the grandstand area after the State Fair is over.

Heier inquired about restroom facilities.

Schrock stated they are currently adding restrooms and a room which can be used as an office.

In response to a question asked by Campbell, Terry Wagner, County Sheriff, stated that he was not aware of any problems regarding minors in the grandstand area.

Wagner stated that the Nebraska State Board of Agriculture does a good job in relation to security and that his office has worked with them on larger events.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

Action to be take on Tuesday, July 20, 1999.

4) **NEW BUSINESS:**

- A. An application for a Special Designated License from the Nebraska State Board of Agriculture to hold the "Budweiser Beer School" during the Nebraska State Fair, beginning Friday, August 27 and ending Monday, September 6, 1999 from 9 a.m. to midnight each day, with the exception of Sundays when the hours will be Noon to Midnight. (19991124) (19991215) (19991214) (19991135)**

Sharon Schrock, representative for the Nebraska State Board of Agriculture, explained that the "Budweiser Beer School" is a way to educate individuals regarding the history of brewing, ingredients used, the brewhouse process, the different types of beer and a tasting session.

Workman expressed strong concerns regarding the Nebraska State Fair having a beer school on its premises.

MOTION: Workman moved and Hudkins seconded denial of the application for a Special Designated License from the Nebraska State Board of Agriculture to hold the "Budweiser Beer School" during the Nebraska State Fair, beginning August 27 and ending September 6, 1999 from 9 a.m. to Midnight each day, with the exception of Sundays when the hours will be Noon to Midnight.

Heier asked why the beer school was being allowed to set up across from the 4-H building.

Schrock stated that particular location would allow for enough space for the two semi's and the accompanying stairways. She added that the display could be moved to the same location as two years ago.

In response to a question asked by Campbell, Terry Wagner, County Sheriff, stated he was not aware of any problems with the school when it was at the State Fair two years ago.

Workman stated he is concerned about the message that the beer school sends.

Campbell asked if other individuals display alcoholic items during the State Fair.

Schrock stated they have a wine and beer competitions.

Campbell suggested deferring action to obtain more information and to allow for discussion of an alternative location.

Heier concurred with Campbell.

Hudkins stated he felt it was very inappropriate to have the school located near the 4-H building.

ROLL CALL: Workman and Hudkins voted aye. Steinman, Campbell and Heier voted no. Motion failed.

MOTION: Steinman moved and Heier seconded to approve the application for a Special Designated License from the Nebraska State Board of Agriculture to hold the "Budweiser Beer School" during the Nebraska Stat Fair, beginning August 27 and ending September 6, 1999 from 9 a.m. to Midnight each day, with the exception of Sundays when the hours will be Noon to Midnight and with the condition that it be moved to a new location away from the Youth Complex, possibly at the same location of two years ago.

AMENDMENT: Hudkins moved and Heier seconded to amend the previous motion to include that no free liquor samples be offered.

ROLL CALL TO AMENDMENT: Heier and Hudkins voted aye. Campbell, Steinman and Workman voted no. Motion failed.

Steinman withdrew her previous motion and the seconder agreed.

Campbell stated she would like to hear from Budweiser regarding alternatives and possible restrictions.

MOTION: Heier moved and Hudkins seconded to defer action on the application for a Special Designated License from the Nebraska State Board of Agriculture to hold the "Budweiser Beer School" during the Nebraska State Fair, beginning August 27 and ending September 6, 1999 from 9 a.m. to Midnight each day, with the exception of Sundays when the hours will be Noon to Midnight for one week, two weeks if needed, to obtain additional information and to allow for further review. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

- B. An application for a Special Designated License from the Wine Merchants Inc. to hold a wedding reception on Sunday, July 25, 1999 from 3 p.m. to 11 p.m. at Boss Hogs banquet facility located at 6305 West Adams Street in Lancaster County, Nebraska. (19991258) (19991294) (19991287) (19991286)**

MOTION: Steinman moved and Heier seconded approval. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

- C. An agreement with the State of Nebraska, Department of Roads for road construction on Fletcher Avenue between Northwest 112th and Northwest 126th Streets and on West Adams Street from Northwest 126th Street up to the Game and Parks recreation facility at Pawnee Lake, at an estimated cost to the County of approximately \$160,000. (Project SRR-55(126) (19991352)**

MOTION: Steinman moved and Heier seconded approval. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

- D. An agreement with the Village of Raymond to allow a temporary easement to Raymond for maintaining and disassembling a water tower. The easement will end 90 days after a new water tower is built. (19991353)**

MOTION: Hudkins moved and Workman seconded approval. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

- E. An addendum to an agreement with the American Federation of State, County and Municipal Employees, AFL-CIO to provide shift differential of an additional 45 cents per hour for Lancaster Manor employees. (19991356)**

MOTION: Steinman moved and Workman seconded approval. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

F. Authorization of the installation of "Children At Play" signs on Cardwell Road in the Cardwell Woods subdivision, one east of Southwest 27th Street for eastbound traffic and one west of Fireplace Circle for westbound traffic. (19991337)

MOTION: Workman moved and Heier seconded approval of Resolution 99-1337.

Don Thomas, County Engineer, stated the cost for the signs will be paid by the applicant.

ROLL CALL: Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

G. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Construction Group, Inc., in the amount of \$22,889.67, for sign shop remodel (Project 00-02). (19991351)

MOTION: Heier moved and Workman seconded approval.

Workman noted there were three bids with the highest bid being \$25,400.

ROLL CALL: Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

H. Request from the Personnel Policy Board for the following: (19991354)

- * **Creation of Land Records Technician I classification at a proposed pay grade of \$20,277.92 to \$26,705.12 (A13)**
- * **Creation of Land Records Technician II classification at a proposed pay grade of \$23,308.48 to \$30,571.84 (C16)**
- * **Change of pay grade for the Election Clerk classification from A11 (\$18,528.64 - \$24,321.44) to A13 (\$20,277.92 - \$26,705.12)**
- * **Change of pay grade for the Activities Assistant classification from A07 (\$15,466.88 - \$20,277.92) to A10 (\$17,702.88 - \$23,196.16)**
- * **Change of pay grade for the Nursing Assistant I classification from A06 (\$14,786.72 - \$19,364.80) to A09 (\$16,927.04 - \$22,183.20)**
- * **Change of pay grade for the Nursing Assistant II classification from A07 (\$15,466.88 - \$20,277.92) to A10 (\$17,702.88 - \$23,196.16)**
- * **Change of pay grade for the Restorative Aide classification from A06 (\$14,786.72 - \$19,364.80) to A09 (\$16,927.04 - \$22,183.20)**

MOTION: Heier moved and Steinman seconded approval.

John Cripe, Classification and Compensation Manager, appeared and indicated a request to amend Rule 17.19 of the Personnel Rules regarding shift differential should also have been on the Board's agenda for approval. He added it will be on next week's agenda.

ROLL CALL: Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Setting of a public hearing for Tuesday, July 27, 1999 at 1:30 p.m. in the Commissioners Hearing Room for County Change of Zone 189, requested the Interim Director of Planning, at the request of the Lancaster County Board, for a text amendment to the Lancaster County Zoning Resolution to delete "domestic servants" language.

B. Leasehold contracts relating to road improvements with the following:

- * **Wayne Wallman near North 176th and Holdrege Streets, in the amount of \$10 (19991336)**
- * **Leon Bowman on Pella Road near South 12th Street, in the amount of \$10 (19991335)**

MOTION: Steinman moved and Heier seconded approval of the Consent Items. On call Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

6) **ANNOUNCEMENTS:**

The Chair stated the Lancaster County Board of Commissioners, sitting as the Board of Equalization, will be hearing property valuation protests on Wednesday, July 14 and Thursday, July 15. Next week hearings will be held beginning Tuesday, July 20 through Friday, July 23.

7) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded to adjourn the Board of Commissioners meeting. On call Workman, Hudkins, Campbell and Heier voted aye. Steinman present but not voting. Motion carried.